

|   |                                 |                          |                                 |  |
|---|---------------------------------|--------------------------|---------------------------------|--|
| <b>AMENDMENT TRANSMITTAL LETTER</b>       |                                 |                          | Docket No.<br>21059/0206916-USO |  |
| Application No.<br>10/565,211-Conf. #9175 | Filing Date<br>October 30, 2006 | Examiner<br>R. P. Swartz | Art Unit<br>1645                |  |

Applicant(s): Bakulesh Mafatlal Khamar et al.

**PROCESS FOR MANUFACTURING PHARMACEUTICAL COMPOSITION COMPRISES OF  
Invention: MYCOBACTERIUM W IN THE TREATMENT OF ASTHMA (OBSTRUCTIVE LUNG  
DISEASE)**

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED  |   |   |                                   |          |              |
|--|---|---|-----------------------------------|----------|--------------|
|  | Claims<br>Remaining<br>After<br>Amendment | Highest<br>Number<br>Previously<br>Paid | Number<br>Extra Claims<br>Present | Rate     |              |
| <b>Total Claims</b>  | 28  | - 27 =                                  | 1                                 | x 52.00  | 52.00        |
| <b>Independent<br/>Claims</b>  | 3   | - 3 =                                   | 0                                 | x 220.00 | 0.00         |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |   |   |                                   |          |              |
| Other fee (please specify):  |   |   |                                   |          |              |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>                          |   |   |                                   |          | <b>52.00</b> |

☒ Large Entity
 ☐ Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 04-0100 in the amount of \$ 52.00.

☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

/Jay P. Lessler/

Jay P. Lessler

Attorney/Agent Reg. No.: 41,151

**DARBY & DARBY P.C.**

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

Dated: January 7, 2010